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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
STEVEN HAMPTON,  
  
Defendant.

CASE NO. 2:21-CR-00104-TLN  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER  
  
DATE: August 17, 2023  
TIME: 9:00 a.m.  
COURT: Hon. Troy L. Nunley

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 17, 2023.
2. By this stipulation, defendant now moves to continue the status conference until November 30, 2023, at 9:30 a.m., and to exclude time between August 17, 2023, and November 30, 2023, under Local Code T4 (to allow defense counsel time to prepare) and T2 (complexity of the case). Time was previously excluded under both Local Codes T2 and T4. In addition, the Court has previously continued the status conference for the other co-defendants in this case to November 30, 2023, and has previously excluded time through that new date as to those co-defendants.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The United States initially provided discovery, including: pdf reports,

1 voluminous recorded phone conversations, GPS data, toll records, photographs, videos, etc. to  
2 the defense. Because of the volume of discovery produced by the government and in  
3 anticipation of additional discovery being provided by the government, defense counsel sought  
4 the appointment of Coordinating Discovery Attorney (CDA) John C. Ellis. The court signed the  
5 order appointing the CDA, and Mr. Ellis reports the discovery now amounts to approximately  
6 thirty-four gigabytes of data, and consists of 4,313 pages of PDF documents, more than eight  
7 hours of video footage, and wiretap data from two target telephone lines. The wiretap data from  
8 two target telephones includes an additional forty-eight hours of audio recordings, 4,636  
9 document files, 4,855 Google Earth location data files, and line sheets. This discovery was  
10 provided to most defense counsel on, or about, November 1, 2021. On, or about, July 26, 2022,  
11 due to inadvertently released materials within the previous discovery productions, the  
12 government, through CDA Ellis, reproduced the discovery. Defense counsel appreciate the need  
13 for the re-publication of the discovery. The reproduced production required the CDA's staff to  
14 create new indexes and search tools.

15 b) Undersigned counsel was appointed to represent defendant in this matter on or  
16 about January 26, 2023.

17 c) As such, Counsel for the defendant needs additional time to review and analyze  
18 the discovery, conduct investigation, and interview potential witnesses related to the discovery  
19 production(s).

20 d) Counsel for defendant believes that failure to grant the above-requested  
21 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
22 into account the exercise of due diligence.

23 e) Moreover, Counsel for defendant notes that the defendant is currently housed in  
24 El Dorado County. Counsel for defendant has been informed by the U.S. Marshals that due to  
25 unforeseen logistical issues, defendant cannot be transported to Sacramento County for the  
26 currently scheduled status conference date of August 17, 2023. In light of those logistical issues,  
27 and for the reasons described above, defendant requests that his status conference be continued  
28 to November 30, 2023, which is the next court date for the co-defendants in this matter.

f) The government does not object to the continuance.

g) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of August 17, 2023 to November 30, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(ii) and (iv) [Local Codes T4 and T2] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interests of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 16, 2023

PHILLIP A. TALBERT  
United States Attorney

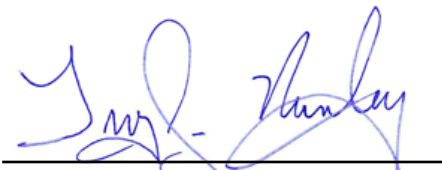
/s/ AARON D. PENNEKAMP  
AARON D. PENNEKAMP  
Assistant United States Attorney

Dated: August 16, 2023

/s/ WILLIAM F. PORTANOVA  
WILLIAM F. PORTANOVA  
Counsel for Defendant  
Steven Hampton

### ORDER

IT IS SO FOUND AND ORDERED this 17<sup>th</sup> day of August, 2023.

  
Troy L. Nunley  
United States District Judge